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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,685	09/21/2000	Luca R. Diaconescu	08-886705US	3468

7590 03/09/2005

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CANADA

EXAMINER

DAVIS, CYNTHIA L

ART UNIT PAPER NUMBER

2665

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/887,685

Applicant(s)

DIACONESCU ET AL.

Examiner

Cynthia L Davis

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-4 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. This application is in condition for allowance except for the following formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: for the sake of clarity, in line 10, "repeating a) and b)" should be changed to "repeating step a) and step b)". Appropriate correction is required.
3. Claim 5 is objected to because of the following informalities: for the sake of clarity, in lines 5-7, "wherein each strip may operate in a large concatenation mode in which a fixed pointer value and a fixed B3 value is assumed for each STS-1 block" should be rewritten to say, "when each strip operates in a large concatenation mode, a fixed pointer value and a fixed B3 value is used for each STS-1 block". Appropriate correction is required.

### ***Allowable Subject Matter***

4. The following is a statement of reasons for the indication of allowable subject matter. In claim 1, the limitation:

A method for generating a data slice of a SONET/SDH type data frame, wherein the data slice has a plurality of STS-I blocks, the method comprising:

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reading a pointer state indication for one STS-I block; whenever the pointer state indication has a concatenation indication, generating payload bytes of the STS-I block such that the B3 byte of the STS-1 block assumes a predetermined fixed value; and repeating a) and b) for all STS-I blocks within the data slice.

is not present in the prior art.

5. The following is a statement of reasons for the indication of allowable subject matter. In claim 4, the limitation:

A method of generating a SONET/SDH frame, the method comprising: initiating a set of programmable register values with frame parameters; generating data slices encompassing a plurality of STS-I blocks based on said frame parameters, said data slice generation including: whenever a large concatenation mode within said frame parameters assumes an ON state: setting the pointer value to a predetermined fixed pointer value; and generating payload bytes of every STS-I block having a concatenation indication such that the B3 byte of the STS-I block assumes a predetermined fixed B3 value; collecting the data slices to generate a frame.

is not present in the prior art.

6. The following is a statement of reasons for the indication of allowable subject matter. In claim 5, the limitation:

A data generator for generating SONET/SDH type data frames, the data generator comprising; a plurality of processing strips for generating a plurality of associated data slices having STS-I blocks, wherein each strip may operate in a

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large concatenation mode in which a fixed pointer value and a fixed B3 value is assumed for each STS-I block within the data slice; and a data collection block for collecting generated data slices into a data frame.

is not present in the prior art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia L Davis whose telephone number is (571) 272-3117. The examiner can normally be reached on 8:30 to 6, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLD  
2/25/2005

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HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600